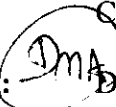




FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF GENERAL COUNSEL

# Memorandum

**TO:** Director, Reference Information Center  
Chief, Wireless Telecommunications Bureau

**FROM:**  Daniel M. Armstrong  
Associate General Counsel

**SUBJECT:** *American Association of Paging Carriers v. FCC & USA*, No. 04-1359. Filing of a Petition for Review in the United States Court of Appeals for the District of Columbia Circuit.

**DATE:** November 1, 2004

This is to advise you that, on October 14, 2004, the American Association of Paging Carriers ("AAPC") filed a Petition for Review in the U.S. Court of Appeals for the D.C. Circuit, pursuant to 47 U.S.C. 402(a), of the following order: *Amendment of Part 90 of the Commission's Rules and Policies for Applications and Licensing of Low Power Operations in the Private Land Mobile Radio 450-470 MHz Band*, Memorandum Opinion and Order, WT Docket No. 01-146, 19 FCC Rcd 18501 (2004).

AAPC challenges the above-referenced order denying its petition for reconsideration requesting that the Commission prohibit the licensing of stations on eight "offset" channels, *i.e.*, channels 12.5 kHz removed from regularly assigned 25 kHz frequencies in the Part 90 450-470 MHz band.

The Court has docketed this case as No. 04-1359. The attorney assigned to handle the litigation of this case is Roberta L. Cook.